

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Sandra K. McBeth (SBN 138697) A Professional Law Corporation 7343 El Camino Real, #185 Atascadero, CA 93422 805.464.2959 805.357.5905(fax) smcbeth@mcbethlegal.com <input type="checkbox"/> Debtor(s) appearing without an attorney <input checked="" type="checkbox"/> Attorney for: Sandra K. McBeth, Ch. 7 Trustee	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION	
In re: PATRICK JAMES DENNIS,	CASE NO.: 9:17-BK-11830-DS CHAPTER: 7
	NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]
Debtor(s).	[No hearing unless requested in writing]

TO THE U.S. TRUSTEE AND ALL PARTIES ENTITLED TO NOTICE, PLEASE TAKE NOTICE THAT:

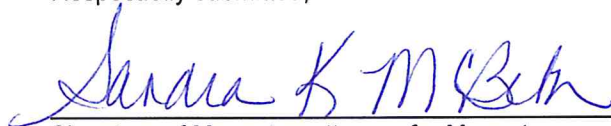
- Movant(s) Sandra K. McBeth, Chapter 7 Trustee, filed a motion or application (Motion) entitled Motion Authorizing Trustee To Compromise Controversy With Randall Fox and Atlanta Foundation For Public Spaces, LLC.
- Movant(s) is requesting that the court grant the Motion without a hearing as provided for in LBR 9013-1(o), unless a party in interest timely files and serves a written opposition to the Motion and requests a hearing.
- The Motion is based upon the legal and factual grounds set forth in the Motion. (Check appropriate box below):
☐ The full Motion is attached to this notice; or
☒ The full Motion was filed with the court as docket entry # 80, and a detailed description of the relief sought is attached to this notice.
- DEADLINE FOR FILING AND SERVING OPPOSITION PAPERS AND REQUEST FOR A HEARING:** Pursuant to LBR 9013-1(o), any party who opposes the Motion may request a hearing on the Motion. The deadline to file and serve a written opposition and request for a hearing is 14 days after the date of service of this notice, plus 3 additional days if you were served by mail or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).

This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

- a. If you timely file and serve a written opposition and request for a hearing, movant will file and serve a notice of hearing at least 14 days in advance of the hearing. [LBR 9013-1(o)(4)]
- b. If you fail to comply with this deadline:
 - (1) Movant will file a declaration to indicate: (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 days after the date of service of the notice [LBR 9013-1(o)(3)];
 - (2) Movant will lodge an order that the court may use to grant the Motion; and
 - (3) The court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice. [LBR 9013-1(h)]

Respectfully submitted,

Date: April 26, 2018



Signature of Movant or attorney for Movant

Sandra K. McBeth

Printed name of Movant or attorney for Movant

Attachment to Notice Per Local Rule 9013-1(o)

Sandra K. McBeth, Chapter 7 Trustee in the matter of Patrick James Dennis, 9:17-BK-11830-DS has filed a motion to approve a Settlement Agreement and Release entered into with Randall Fox and Atlanta Foundation for Public Spaces, LLC (hereinafter "Fox/AFFPS) pursuant to FRBP 9019 and Local Bankruptcy Rule 9013-1(o)(1), which Agreement is attached to the Motion as Exhibit "A".

The Settlement Agreement and Release resolves the Trustee's intent to administer a 2003 Land Rover Range Rover, as well as resolve the Counterclaim Debtor filed in adversary proceeding 9:18-AP-01001-DS and the estate's interest, if any, in the Atlanta Foundation for Public Spaces, LLC. Fox/AFFPS have agreed to pay the estate the sum of \$10,000.00 in exchange for title to the Land Rover, dismissal of the Counterclaim, which although filed by the Debtor, is property of the bankruptcy estate, and transfer of the estate's interest, if any, in AFFPS. The Settlement in no way impacts or affects the underlying claims raised by Fox/AFFPS in the adversary proceeding under 11 U.S.C. §523 and §727.

The Trustee has reviewed the books and records of AFFPS as well as the documentation with regard to the Land Rover and the Debtor's schedules and information, and has determined that it is in the best interests of the estate to resolve the claims for the sum of \$10,000.00. The settlement satisfies the Ninth Circuits elements for approval of a settlement as set forth in A&C Properties. The settlement will avoid the costly litigation regarding the counterclaim and accounting, and provides an immediate return to the estate. The Trustee has received the \$10,000.00 payment from Fox/AFFPS.

Further detail of this analysis can be found in the motion.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
7343 El Camino Real #185, Atascadero CA 93422

A true and correct copy of the foregoing document entitled: **NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 04/26/2018, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

United States Trustee (ND)	ustpregion16.nd.ecf@usdoj.gov
Joseph Bussone Attorney for Debtor	jdbussone@gmail.com
Will Geer c/o Karen Grant	kgrant@silcom.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 04/26/2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
Patrick James Dennis
999 Suffolk Street
Cambria, CA 93428

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>04/26/2018</u>	<u>Donna Earnest</u>	<u>/s/ Donna Earnest</u>
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>

American Express
Box 0001
Los Angeles, CA 90096-0001

Atlanta Foundation For Public
Spaces LLC / Randall Fox
2292 Briarcliff Road NE
Atlanta, GA 30329-3448

County of San Luis Obispo
1055 Monterey St
San Luis Obispo, CA 93408-1003

Ditech
P.O. Box 7169
Pasadena, CA 91109-7169

Farmers Insurance
1240 N Van Buren St Ste 211
Anaheim, CA 92807-1602

Forbes & Company
2 Ravinia Dr Ste 950
Atlanta, GA 30346-2122

(Mail returned, no more to)
Fulton County Clerk of Superior
Court
135 Pryor St SW
Atlanta, GA 30303-3408

Hartford Insurance
3600 Wiseman Blvd
San Antonio, TX 78251-4323

Hermelindo Casas
1655 Shiloh Pl
Templeton, CA 93465-9396

Mastercard
P.O. Box 60517
City of Industry, CA 91716-0517

Nelson Mullins Riley & Scarborough
LLP
Attn Erica Birg
201 17th St NW Ste 1700
Atlanta, GA 30363-1099

The Sandler Law Group, LLC
Attn Theodore Sandler
5332 Greenland Rd NW Ste 102
Atlanta, GA 30342-4802

VISA
P.O. Box 15019
Wilmington, DE 19886-5012

Will B. Geer
Wiggam & Geer, LLC
333 Sandy Springs Circle NE Suite
225
Atlanta, GA 30328